

Subpart B—Vital Statistics Records**§ 9.31 Definitions.**

As used in this subpart:

Live birth means the birth of a child who shows evidence of life after the child is entirely outside the mother.

Stillbirth means a birth after 20 weeks of gestation which is not a live birth.

Physician means a person legally authorized to practice medicine before October 1, 1979, in the area then known as the Canal Zone.

Vital statistics includes the registration, preparation, transcription and preservation of data pertaining to marriages, births, adoptions, legitimations, deaths, stillbirths, and data incidental thereto.

Vital Statistics Unit means the organizational unit charged by the Administrator of the Panama Canal Commission with the function of vital statistics.

§ 9.32 Administration.

The Vital Statistics Unit shall administer this subpart, under the supervision of the Administrator or his designee.

§ 9.33 Functions of the Vital Statistics Unit.

The Vital Statistics Unit is the keeper of the vital statistics records of the Canal Zone Government. Some of the functions previously performed by that unit were discontinued on October 1, 1979, when the Canal Zone and its civil government ceased to exist. The Vital Statistics Unit now performs the residual functions of recordkeeping; i.e., it is limited to performing the following:

(a) Maintaining all vital statistics records of the Canal Zone Government.

(b) Performing the vital statistics functions as defined in § 9.31 of this part for those events which occurred in the Canal Zone before October 1, 1979, and which were not previously registered in that unit. This includes the delayed registration of a birth that occurred prior to October 1, 1979.

(c) The alteration of records which are filed in that unit.

(d) The issuance of copies of documents filed in that unit.

(Panama Canal Treaty of 1977 and related agreements and Pub. L. 96-70, 93 Stat. 452)

§ 9.34 Supplementary certificate upon adoption.

Upon receipt of a certified copy of an order or decree of adoption, the Vital Statistics Unit shall prepare a supplementary certificate in the new name of the adopted person and shall seal and file the original certificate of birth with such certified copy attached thereto. The sealed documents may be opened only upon the demand of the adopted person, if of legal age, or by an order of court. Upon receipt of a certified copy of a court order of annulment of the adoption, the original certificate shall be restored to its original place in the file.

§ 9.35 New birth certificate upon legitimation.

In cases of legitimation the Vital Statistics Unit, upon receipt of proof thereof, shall prepare a new certificate of birth in the new name of the legitimated child. The evidence upon which the new certificate is made and the original certificate shall be sealed and filed and may be opened only upon the demand of the person involved, if of legal age, or by an order of court.

CROSS REFERENCE: Legitimation of child, see 8 P.C.C. 335, 387, 76A Stat. 689, 691. See also 7 P.C.C. 576, 76A Stat. 571.

§ 9.36 Delayed filing of birth certificate.

(a) When a live birth occurred in the Canal Zone (prior to October 1, 1979), a certificate of live birth should have been filed with the Vital Statistics Unit within five days after the birth by the physician, midwife, or other legally authorized person in attendance at the birth or, if the birth was not so attended, by one of the parents. If a certificate of live birth in the Canal Zone was not filed during that time, it may still be possible to file a delayed certificate of birth by following the procedure set forth in paragraph (b) of this section.

(b) A delayed certificate of live birth may be filed upon the submission to, and receipt by, the Vital Statistics Unit of such evidence, in the form of affidavits or otherwise, as the Vital Statistics Unit deems sufficient to establish satisfactorily the truth of the facts alleged in support of the request

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for delayed filing. Certificates accepted more than six months after the time prescribed for filing in paragraph (a) of this section shall contain the date of the delayed filing and shall be marked "delayed." A summary statement of the evidence submitted in support of the acceptance for delayed filing shall be endorsed on the certificate. Such evidence shall be kept in a special permanent file.

§ 9.37 Altered certificates.

Certificates of marriage, birth, still-birth, or death filed in the Vital Statistics Unit may be altered upon the submission to, and receipt by, the Vital Statistics Unit of such evidence, in the form of affidavits or otherwise, as that unit deems sufficient to establish satisfactorily the truth of the facts alleged in support of the request for alteration. Certificates which are altered after being filed shall contain the date of the alteration and shall be marked "altered." A summary statement of the evidence submitted in support of the acceptance for alteration shall be endorsed on the certificate. Such evidence shall be kept in a special permanent file.

§ 9.38 Certified copies of records.

Subject to the restrictions contained in § 9.39, a certified copy of a certificate on file or any part thereof shall be furnished to any applicant upon request. The person designated by the Administrator or by the Administrator's designee to act as Vital Statistics Clerk shall be the person to certify copies of such certificates or parts thereof. Charges shall be made for certified copies of vital statistics records at the rate prescribed in the official Panama Canal Commission tariff.

§ 9.39 Disclosure of records.

Inspection of a vital statistics record is not permitted, and a certified copy of a certificate or part thereof may not be issued, unless the Vital Statistics Unit is satisfied that the applicant has a direct and legitimate interest in the matter recorded or that the information therein contained is necessary for the determination of personal or property rights.

PART 10—ACCESS TO INFORMATION ABOUT INDIVIDUALS

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APPENDIX A TO PART 10—GENERAL ROUTINE USES

AUTHORITY: 5 U.S.C. 552a.

SOURCE: 44 FR 75312, Dec. 19, 1979, unless otherwise noted.

§ 10.1 Purpose of this part.

The purpose of this part is to establish Panama Canal Commission policies and procedures for implementing the Privacy Act of 1974 (Pub. L. 93-579), and particularly the provisions of 5 U.S.C. 552a.

§ 10.2 The Privacy Act of 1974.

The Privacy Act of 1974 (referred to in this part as "the Privacy Act") is a law which provides safeguards against the invasion of an individual's personal privacy. The Privacy Act creates a procedure for an individual to request access to or amendment of a record about himself or herself that is maintained